

REMARKS

Claims 1-20 are pending. By this Amendment, claims 1 and 11 have been amended and claims 17-20 have been added. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Examiner rejects claims 1, 3, 5, 6, 11, 13, 15 and 16 under 35 U.S.C. §102(a) as being anticipated by Tock (U.S. Patent No. 5,815,718); claims 2 and 12 under 35 U.S.C. §103(a) as being unpatentable over Tock in view of Snyder, et al. (U.S. Patent No. 6,161,147); claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over Tock in view of Tso, et al. (U.S. Patent No. 6,247,050); claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Tock in view of Kimishima (U.S. Patent No. 5,978,846); and claim 10 under 35 U.S.C. §103(a) as being unpatentable over Tock in view of Kimishima and Tso, et al. These rejections are respectfully traversed.

The Examiner maintains his allegation that Tock discloses each and every feature recited in the claims. A careful inspection of Tock, however, reveals clearly that the system of Tock operates in a manner different from the claimed features and serves a different purpose.

In the system of Tock, a client computer is connected through a network to one or more servers. Within each of these servers are processors,

communication interfaces, operating systems and memory for storing various class files, etc. as illustrated in Fig. 1. The client computer when executing a browser, provides the user of the client computer with access to files located on the server. See col. 3, lines 53-67 through column 4. In essence, the network acts as a bridge between the client's computer and client server. Everything necessary for the client computer is contained within the server. Thus, each server maintains its own extensive memory for storing files.

Tock teaches exactly what the present invention has been designed to overcome. The present invention alleviates the necessity to have a large memory and store large amounts of information within a device in connection with a request from a client computer. In contrast to Tock, the present invention utilizes a device, i.e., a printer, scanner, etc. which has embedded therein an execution device, which performs server functions for obtaining and executing function modules. This execution device does not function like conventional servers. Conventional servers include various hardware and an operating system in their operations, however, the execution device of applicant's invention is installed in a device and utilizes the abilities and features, i.e., hardware, operating system, etc. of the device to achieve its objective. See page 8 of applicant's specification. When a request from the request device is sent to the execution device, the execution device sends a request over the network to a memory remotely located on the network, which

stores function modules. The correct function module is selected and provided back to the execution device through the network. The function module is then executed based on the request and the result is transferred to the request device through the network. The separate memory stores all the necessary information to perform numerous tasks. This reduces the necessity for memory within the devices themselves which provides a greater advantage over other systems.

Further, the features the Examiner has relied upon clearly do not teach or anticipate the claimed features of the present invention. The Examiner alleges that item 110 of Fig. 1 corresponds to the claimed memory. Item 110 is located within the server. The Examiner alleges that the client computer 102 of Tock corresponds to the claimed request device. In the language of claim 1, it recites "a request device, located on said network remotely from said memory and request device, which outputs an execution request for executing one of the specific processes; and an execution device for receiving through the network the execution request output" Thus, the execution request is sent through the network to the execution device. The Examiner alleges that the abstract in column 3, lines 46-49 discloses such features. However, the abstract only discloses the storing and identifying of executable module data. Column 3, lines 46-49 disclose the execution of an executable module using a java interpreter but fails to disclose the unique combination of obtaining a

request from a request device through a network by the execution device and further obtaining by the execution device the execution module through the network from a remotely located memory.

Furthermore, the Examiner alleges that column 5, lines 20-25 disclose the acquiring and execution of the execution module through the network. However, this section of text merely describes the relationship of various features within item 110, of which the Examiner refers to as corresponding to applicant's claimed memory. First, this relationship, as disclosed in Tock, is not performed through the network, but is performed within the various element in item 110 of Tock. Second, in applicant's invention, the function executing module which requests the execution modules from a memory is not located within the memory from which the modules are obtained. The function executing module and memory of applicant's invention are remotely located on the network from each other. The Examiner, however, is using the same device (110) within Tock, which he alleges corresponds to applicant's memory, as also corresponding to the execution device claimed by applicant. As stated above, however, applicant's execution device and memory are remotely located on the network from each other. Thus not only does Tock not anticipate applicant's claimed invention, but in fact teaches away from applicant's invention.

Claims 11, 15 and 17 and 18 provide similar features to claim 1 and are not anticipated by Tock for the same reasons as set forth above.

It is apparent from the above that Tock neither teaches all the claimed features or even suggests using features in the manner claimed by applicants. Furthermore, Snyder, Tso, and Kimishima each fail to make up for the deficiencies of Tock. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

For at least these reasons, it is respectfully submitted that claims 1-20 are distinguishable over the cited references. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is necessary in order to place this application in condition for allowance, the Examiner is invited to contact the applicant's representative at the number listed below.


Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

Appl. No. 09/337,500

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Michael R. Cammarata
Reg. No.: 39,491

MRC/CJB:cb
2565-0175P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment

MARKED-UP VERSION TO SHOW CHANGES BEING MADE

In the Claims

Claim 1. (Three Times Amended)

A system of dynamic module configuration which is linked through a network comprising:

a memory, linked to the network, for storing a plurality of function executing modules which execute specific processes;

a request device, located on said network remotely from said memory, which outputs an execution request for executing one of the specific processes; and

an execution device, located on said network remotely from said memory and said request device, for receiving, through the network, the execution request output from the request device, acquiring, through the network, one of the plurality of function executing modules which has a function of realizing the execution request from the memory, executing the acquired function execution module and providing a result of the execution of the function execution module to the request device.

Claim 11. (Three Times Amended)

A dynamic module configuration method using a network comprising the steps of:

storing in a memory a plurality of function executing modules for executing specific processes;

outputting, by a request device through the network, an execution request for executing one of the specific processes; and

receiving, by an execution device, located on said network remotely from said memory and said request device, the execution request through the network, acquiring, through the network, one of the plurality of function executing modules from the memory which has a function of realizing the execution request, executing the acquired function execution module and providing a result of the execution of the function execution module to the request device.

Claims 17-20 have been added.